

a.m. tomorrow, September, 11, 2014, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following the prayer and pledge, there be a moment of silence to pay tribute to the thousands of Americans whose lives were taken on September 11, 2001; that following any Leader remarks, the Senate resume consideration of the motion to proceed to S. 2199 postcloture; that all time during adjournment, recess or morning business count postcloture to the motion to proceed to S. 2199; and finally that the filing deadlines for first-degree amendments to S.J. Res. 19 be 12 noon tomorrow, and second-degree amendments be at 1 p.m. tomorrow afternoon.

The PRESIDING OFFICER. Without objection.

PROGRAM

Mr. REID. Mr. President, ultimately we hope to move forward on the paycheck fairness act and vote on cloture on the constitutional amendment early tomorrow afternoon.

ORDER FOR ADJOURNMENT

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask that it adjourn under the previous order following the remarks of Senator SESSIONS, which will last for 30 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Alabama.

IMMIGRATION

Mr. SESSIONS. I thank the Presiding Officer and appreciate the opportunity to share some thoughts on an important subject tonight.

Earlier this week I spoke about the President's promise that he would issue an Executive amnesty, a grant of amnesty to 5 or 6 million people by some form of Executive order with his own pen. The planned amnesty would include work permits, photo ID's, and Social Security numbers for millions of people who illegally entered the U.S., illegally overstayed their visas, or defrauded U.S. immigration authorities.

The Senate Democratic Conference has supported and enabled the President's actions and blocked—so far—every effort to stop it. Not even one of our Democratic colleagues has backed the House legislation that would stop this Executive amnesty or demanded that Senator REID bring it up for a vote at least. Every Senate Democrat is therefore the President's partner in his planned lawless acts. Plainly the President must execute the law that was passed by Congress, and the law does not allow for unlawful immigrants to

work in the U.S. It doesn't allow for many other things they are suggesting the President may plan to do by Executive order.

Tonight I would like to talk about the influence of special interests on our nation's immigration laws and how it is creating unwise and unlawful policies. How did we get to the point where elected officials, activist groups, the ACLU, and global CEOs are openly working to deny American workers the immigration protections to which they are legally entitled?

How did we get to the point where the Democratic Party is prepared to nullify and wipe away the immigration laws of the United States of America? And we are at that point, colleagues.

Just yesterday Majority Leader REID wrote in a tweet something that was shocking. He said:

Since House Republicans have failed to act on immigration, I know the President will. When he does, I hope he goes real big.

That is the majority leader of the Senate. He intends to do nothing in the Senate to stop the President's actions. But colleagues, we know better. This body is not run by one man. We don't have a dictator in the great Senate. Every Member has a vote. And the only way Senator REID could do such a thing to block this Senate from voting in a way that would stop the President's Executive actions is to not support him in his plan.

Every Senator needs to stand up and represent their constituents, not big business, not the ACLU, not activist groups, not political interests but the American interests, the workers' interests. That is what we need to expect from them, and we don't have but a few weeks, it looks like, to get it done.

Let this sink in for a moment. The majority leader of the Senate is bragging that he knows the President will circumvent Congress to issue Executive amnesty to millions, and he is encouraging the President to ensure this amnesty includes as many people as possible. And the White House has acknowledged that 5 to 6 million is the number they are looking at.

Has one Senate Democrat stepped forward to reject Mr. REID's statement? Has one Senate Democrat stepped forward to say: I support the legislation passed by the House of Representatives that would secure the border and block this Executive amnesty? Have they ever said they support that? Have they ever said: I will do everything in my power to see that the House legislation gets a vote in the Senate so the American people can know what is going on? No. All we hear is silence.

In effect, the entire Senate Democratic Congress has surrendered the jobs, wages, and livelihoods of their constituents to a group of special interests meeting in secret at the White House—what Congress has refused to pass and the American people have rejected. They are plotting at the White House—maybe even more so today—to move forward with Executive action

anyway, no matter what the people think, no matter what Congress, the people's House, votes on.

Politico reports that "White House officials conducted more than 20 meetings in July and August with legal experts, immigration advocates and business leaders to gather ideas on what should be included in the order." Now that is a quote from Politico. Twenty meetings with legal experts, immigration advocates, and business leaders to gather ideas on what should be included in the President's order. So who are these so-called expert advocates and business leaders? They are not the law enforcement officers; they are not our ICE officers; they are not our Border Patrol officers; they are not the American working man and woman; they are not unemployed Americans. They weren't in the room. You can be sure of that. Their opinions weren't sought.

No, White House officials are meeting with the world's most powerful corporate immigration lobbyists and activists who think Border Patrol is for the little people. We know better. The administration is meeting with the elite, the cosmopolitan set who scorn and mock the concerns of everyday Americans who are concerned about their schools, jobs, wages, communities, and hospitals. These great and powerful citizens of the world, we know, don't care much about old fashioned things like national boundaries, national sovereignty, immigration control, let alone the constitutional separation of powers or even the consistent and even-handed enforcement of plain law, passed by the elected representatives of the American people in due fashion.

Well, don't you get it? They believe they are always supposed to get whatever it is they want. They are used to that. They spend hundreds of millions of dollars. In fact, one report says they have spent \$1.5 billion since 2007 trying to pass their desired immigration bill—\$1.5 billion. They think whatever they want is good for America. They tried and tried and tried to pass the bill through Congress, but the American people said: No, no, no. So they decided to just go to the President. They decide to go to President Obama, and we will insist that he implement these measures through Executive fiat. And Senate Democrats have apparently said: Well, that is just a wonderful idea. We support that. Just do it. Go big. But, Mr. President, wait a little bit. Wait until after the election. We don't want the voters to hold us accountable for what you are doing. We want to pretend we in the Senate have nothing to do with it.

One of the groups that has joined the chorus of special interests demanding Executive action on immigration is FWD.us, run by Facebook CEO Mark Zuckerberg. He just turned 30, and I understand he is worth about \$28 billion.

Mr. Zuckerberg has been very busy recently. One of his fellow billionaires,

Mr. Carlos Slim—maybe the world's richest man—invited Mr. Zuckerberg down to Mexico City to give a speech. What did Mr. Zuckerberg promote in his speech? Well, this is a report of it.

I guess I will first note that young Mr. Zuckerberg maybe doesn't know there is a deep American tradition—a tradition in most developed nations—that you don't go to a foreign capital to criticize your own government. I suppose he doesn't know about that. They probably didn't teach him about that when he was at one of the elite schools he attended.

This is what he said in Mexico City:

We have a strange immigration policy for a nation of immigrants. And it's a policy unfit for today's world.

Well, the “masters of the universe” are very fond of open borders as long as these open borders don't extend to their gated compounds and fenced-off estates.

I have another article from late last fall that was printed in *Business Insider* about Mr. Zuckerberg's actions. The headline is “Mark Zuckerberg Just Spent More Than \$30 Million Buying 4 Neighboring Houses For Privacy.” The article says:

Mark Zuckerberg just made an unusual purchase.

Well, four purchases.

Facebook's billionaire founder bought four homes surrounding his current home near Palo Alto, *Mercury News Reports*. The houses cost him more than \$30 million, including one 2,600 square-foot home that cost \$14 million. (His own home is twice as large at 5,000 square-feet and cost half as much.)

Larry Page made a similar move a few years ago so he could build a 6,000-square-foot mansion. But Zuckerberg's reason is different. He doesn't want to live in excess, he just wants a little privacy.

That is a world the average American doesn't live in.

So Mr. Zuckerberg, who has become the top spokesman for expanding the admission of foreign workers, championed the Senate immigration bill for which all of our Democratic colleagues voted. One of the things the bill did was double the supply of low-wage foreign workers brought into the United States for companies such as Facebook.

We have been told for a long time—and most of us have heard this repeatedly—that there is a shortage of STEM and IT workers. STEM stands for science, technology, engineering, and mathematics. This has been the central selling point of these massive demands for increases in foreign worker programs across the board—programs that bring in workers for every sector in the U.S. economy. But we know otherwise from the nation's leading academics, people who studied this issue and are professionals in it. I have a recent op-ed here from *USA TODAY* which reports that there is actually not a shortage but a surplus of Americans who have been trained in the STEM and IT fields and that this is why wages have not increased since 1999.

If you have a shortage of workers in a field such as information technology

or science and mathematics, wages go up, do they not? If wages are not up and are basically down since 1999, I think the case for our free-market friends is pretty clear—we don't have a shortage.

So rich high-tech companies are using the H-1B visa program to keep wages down and to hire less expensive workers from abroad. Indeed, the same companies demanding more guest workers are laying off American workers in droves.

I would like to read some excerpts from that op-ed published in *USA TODAY*. The article was recently co-authored by five of the nation's experts on labor markets and the guest worker program. I think it tells a story that has not been refuted. We have partisans and advocates who have been claiming there is a shortage in these fields, but the experts say no. And since they have been speaking out on this issue, we have seen no real data that would dispute what they say in this article dated July 27, 2014.

Headline: “Bill Gates' tech worker fantasy.”

Subheadline: “Silicon Valley has created an imaginary staffing shortage.”

Business executives and politicians endlessly complain that there is a “shortage” of qualified Americans and that the U.S. must admit more high-skilled guest workers to fill jobs in STEM fields: science, technology, engineering and math. This claim is echoed by everyone from President Obama and Rupert Murdoch to Mark Zuckerberg and Bill Gates.

Yet within the past month, two odd things occurred: Census reported that only one in four STEM degree holders is in a STEM job, and Microsoft announced plans to downsize its workforce by 18,000 jobs.

The five writers of this article—referring to themselves—go on to say:

None of us have been able to find any credible efforts to support the IT industry's assertions of labor shortages.

The article was written by Ron Hira, Paula Stephan, Hal Salzman, Michael Teitelbaum, who has recently written a book on this subject, and Norm Matloff. These are labor economic experts who have studied these issues for years. Many of them have testified before Congress. They say:

None of us have been able to find any credible evidence to support the IT industry's assertions of labor shortages.

What a statement that is.

They go on to write—they all signed this article together—that:

If a shortage did exist, wages would be rising as companies try to attract scarce workers. Instead, legislation that expanded visas for IT personnel during the 1990s has kept average wages flat over the past 16 years. Indeed, guest workers have become the predominant source of new hires in these fields.

The ‘predominate source of new hires’ in information technology fields is coming through guest worker programs from abroad.

They go on to say:

Those supporting even greater expansion seem to have forgotten about the hundreds and thousands of American high-tech workers who are being shortchanged—by wages

stuck at 1998 levels, by diminished career prospects and by repeated rounds of layoffs.

They go on to say:

There is an ample supply of American workers who are willing and qualified to fill high-skill jobs in this country. The only real disagreement is whether the supply is two or three times larger than the demand.

There is no doubt we have a surplus of IT workers. The question is whether the supply is two or three times as big as the number of job openings.

They go on to say:

Unfortunately, companies are exploiting the large existing flow of guest workers to deny American workers access to STEM careers and middle-class security that should come with them. Imagine, then, how many more Americans would be frozen out of the middle class if politicians and tech moguls succeeded in doubling or tripling the flow of guest workers into STEM occupations.

That is exactly what the bill before this Senate—the bill the House of Representatives rejected—would have done. It would have doubled the number of guest workers coming into America just to take jobs—coming in for the very purpose of taking a job that we need Americans to be taking.

The article goes on:

Another major, yet often overlooked, provision in the pending legislation—

That is the bill President Obama is pushing for, the Gang of 8 bill

would grant automatic green cards to any foreign student who earns a graduate degree in a STEM field, based on assertions that foreign graduates of U.S. universities are routinely being forced to leave. Such claims are incompatible with the evidence that such graduates have many paths to stay and work, and indeed the “stay rates” for visiting international students are very high and have shown no sign of decline. The most recent study finds that 92 percent of Chinese Ph.D. students stay in America to work after graduation.

So that just meant we have thousands and thousands of students graduating from schools and being sent home. That is not accurate, according to the experts who study the data.

The article continues:

The tech industry's promotion of expanded temporary visas (such as the H-1B) and green cards is driven by a desire for cheap, young and immobile labor. It is well documented that loopholes enable firms to legally pay H-1Bs below their market value and to continue the widespread age discrimination acknowledged by many in the tech industry.

I talked to a gentleman whom I knew a little bit who worked at a computer company. He is well into his forties, maybe close to 50. I asked him what kind of security there is. He said, Well, in the tech industry these companies go and fall. I said, What happens if you were to lose your job? He said, At my age, it would be very difficult.

That was a poignant moment for me. This man, with a family, raising children, doing the right thing, is worried at his age whether he can get a job, when the majority of people being hired in these fields are H-1B guest workers.

The *USA Today* op-ed concludes by saying:

IT industry leaders have spent lavishly on lobbying to promote their STEM shortage claims among legislators. The only problem is that the evidence contradicts their self-interested claims.

I think this is a dramatic article. It is an article by undisputed experts in their field. To my knowledge no one has disputed it. The false, tech world fantasy claims, the USA Today op-ed referred to, is an imaginary shortage, not a real shortage.

So I would pose a question to Mr. Zuckerberg, who is a brilliant man with so many fabulous qualities, and I respect that. But I read in the news that Facebook, his company, is now worth more than \$200 billion. Is that not enough money to hire American workers for a change? Your company now employs roughly 7,000 people. Let's say you want to expand your workforce 10 percent or hire another 700 workers. Are you claiming you can't find 700 Americans who would take these jobs if you paid a good wage and decent benefits?

Let me just say one more thing: Facebook has 7,000 workers. Microsoft just laid off 18,000. Why doesn't Mr. Zuckerberg call his friend Mr. Gates and say: Look, I have to hire a few hundred people; do you have any resumes you can send over here? Maybe I will not have to take somebody from a foreign country for a job an unemployed U.S. citizen might take.

It is a serious matter. I want to continue to talk about this. There is this myth that we have surging employment in the high-tech industry. According to a recent Reuters report, U.S. employers announced 50,000 layoffs in August of 2013, up 34 percent from the previous month, then up 57 percent through August 2012.

As Byron York reported, Hewlett-Packard, a high-tech company, laid off 29,000 employees in 2012—29,000. In August of 2013, Cisco announced plans to lay off 4,000 workers in addition to the 8,000 cut in the last 2 years, and Cisco was right in the White House this summer with a group of other companies demanding more workers from abroad. Cisco was signing a letter with a bunch of other companies; United Technologies has announced 3,000 layoffs this year; American Express cut 5,400 jobs; Procter and Gamble announced 5,700 jobs cut in 2012; T-Mobile announced plans to lay off 2,250 employees in 2012.

The shortage is not there. The experts tell us and the plain facts, if we look around, indicate that.

But instead FWD.us and other immigration lobbyists are working with the White House to extract Executive orders from the President that provide them with the same financial benefits that were included in the Senate bill that was rejected by the House of Representatives. One proposal would increase by as much as 800,000 the number of foreign workers admitted for the explicit purpose of taking jobs in the United States.

This is an article that talks about that. It is a matter of importance. The Associated Press article, the title of it: "Obama Weighs Broader Move on Legal Immigration."

President Barack Obama is considering key changes in the nation's immigration system requested by tech, industry and powerful interest groups—

Not by the American people was he being requested to do this, not by the national interests but by powerful special interest groups that are referred to here.

It goes on to say:

After recent White House meetings, top officials have compiled specific recommendations from business groups and other advocates.

"Other advocates." Who are they? We know the ACLU has been there. We know La Raza has been meeting there on a regular basis. It goes on. The article says:

One of the more popular requests is a change in the way green cards are counted that would essentially free up some 800,000 additional visas the first year, advocates say.

Other requests would extend work permits to the spouses of all temporary H-1B skilled workers who have not been able to work. But how about the fact that a single mom might like that job? An unemployed single mom or a single mom who has a job prospect that would pay \$3 more than the job she is now working while trying to raise a family? Or an unemployed father? Maybe they would like those jobs first.

So these actions fall on the heels of previous Executive action in which the President already acted unilaterally earlier this year to grant companies an additional 100,000 guest workers. He has already done that. In just the first year of this order, we added 100,000 guest workers by providing work authorizations to the foreign spouses of temporary guest workers. So he would increase the supply of guest workers by approximately 30,000 each year thereafter—this at a time when we have 58 million working-age Americans who are not working. Since 2009 the number of adults has increased by 13 million, while the number of people actually working has decreased by 7 million.

Median household income has dropped \$2,300 since 2009. According to the National Employment Law Project, wages are down across all occupations. According to a CBS report titled "Why American workers feel increasingly poor":

Real median hourly wages have declined across low, middle and high income levels from 2009 to 2013, the study found. No matter if workers were in the lowest bracket (\$8.84 to \$10.85 an hour) or the highest (\$31.40 to \$86.34) median hourly wages declined when you take into account the impact of inflation.

It goes on:

Across all occupations, real median hourly wages slipped 3.4 percent since 2009. While even better-paid workers saw median hourly earnings erode, the worst hit segments were at the bottom—

The people who got hurt the most were at the bottom—

with declines in their wages of more than 4 percent.

We have business CEOs, lobbyists, activists, immigration groups, and clever politicians who are able to demand that we have to have more workers in America even when we have a decline in wages and a decline in jobs. But what does the President do? His administration issues an Executive order to provide foreign spouses—the citizens of other countries, not American citizens—with 100,000 jobs in the United States, precious jobs that many Americans would love to have. How many American spouses struggling to support their families would benefit from one of those jobs? How many single moms would benefit from a chance to earn a better paycheck?

Our Senate Democratic friends talk about paycheck fairness repeatedly. Yet they are supporting policies that take jobs and wages directly from American women by the millions.

Immigration policy is supposed to serve the national interest and the people of the United States, not the interests of a few activist CEOs and the politicians who are catering to them. We have had 40 years of mass immigration combined with falling wages, a shrinking workplace, and exploding welfare rolls. We know that, don't we, friends and colleagues? It is time for a shift in emphasis. It is time to get our own people back to work and our communities out of poverty and our schools back on their feet.

Harvard professor Dr. George Borjas—probably the leading academic in this entire area and has been for many years—estimates that our current immigration rate results in an annual loss of more than \$400 billion in wages for Americans competing with immigrant labor. Between 2000 and today the government issued nearly 30 million visas to temporary foreign workers and permanent immigrants, largely lower skilled and lower wage.

A recent Reuters poll showed that Americans wish to see record immigration reduced, not increased, by a huge 3-to-1 margin, as the Gang of 8 bill would have done.

Another poll from pollster Kellyanne Conway recently showed that 80 percent of Americans think companies should hire from among the existing unemployed rather than bringing in new workers from abroad to fill these jobs. Yet Senate Democrats have unanimously supported legislation to double the annual supply of labor brought into the United States.

Some people think this is agricultural work. Not so. The increase in immigration under that bill would be more than 90 percent nonagricultural work. These jobs are going to be taken by anyone. So what about the good, decent and patriotic citizens of our country who fight our wars, who obey our laws, who follow our rules, and want a better future for their children? Should their needs not come first?

As the National Review explained, “we are a nation with an economy—not an economy with a nation.” We cannot put the parochial demands of a few powerful CEOs ahead of an entire nation’s hopes, dreams, and aspirations.

The basic social contract is that citizens agree to follow the law, pay their taxes, devote their love and loyalty to their country, and in exchange the nation commits to preserve and protect and serve their interests, safeguard their freedom, and return to them in kind their first allegiance of loyalty.

The job of elected officials is to answer to the people who sent them to

Washington, not to scorn them, not to demean them, not to mock them, not to sell their jobs and dreams to the highest bidder.

I yield the floor.

ADJOURNMENT UNTIL 9:30 A.M.
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 6:39 p.m., adjourned until Thursday, September 11, 2014, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF STATE

MICHELE THOREN BOND, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AN ASSISTANT SECRETARY OF STATE (CONSULAR AFFAIRS), VICE JANICE L. JACOBS, RESIGNED.

FEDERAL MINE SAFETY AND HEALTH REVIEW
COMMISSION

MICHAEL YOUNG, OF PENNSYLVANIA, TO BE A MEMBER OF THE FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION FOR A TERM OF SIX YEARS EXPIRING AUGUST 30, 2020. (REAPPOINTMENT)